

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

United States of America,

v.

Joel Robinson

Criminal No. 5:14-cr-00809-JMC

**MOTION TO SUPPRESS EVIDENCE
OBTAINED FROM SEARCH WARRANT**

Pursuant to Rule 41(e) of the Federal Rules of Criminal Procedure, Defendant Joel Robinson, through undersigned counsel, hereby moves the Court issue an order suppressing all evidence obtained from the illegal search of his residence, outbuildings, garages, vehicles, trailer, and containers located at 131 Snapover Lane, Orangeburg, South Carolina. In support of this Motion, and as more fully set forth in Robinson's accompanying Memorandum of Law and exhibits thereto,¹ Robinson states as follows:

1. The affidavit testimony submitted in support of the search warrant contained material misstatements and omissions made knowingly and intentionally, or with reckless disregard for the truth, designed to mislead the Magistrate Judge in her determination that probable cause existed to issue the search warrant.

2. The factual allegations contained in the affidavit were too remote in time, and thus too attenuated, to establish probable cause.

3. The good-faith exception recognized in United States v. Leon, 468 U.S. 897 (1984), does not insulate the evidence obtained from execution of the invalid search warrant from exclusion.

¹ In compliance with the Standing Order Governing Discovery entered by this Court on November 20, 2014 (Dkt. 49), Robinson filed a Motion to Seal (Dkt. 122) these documents because they contain information previously designated as "Restricted Material" under the same.

Accordingly, the Court should suppress the evidence obtained from the search warrant or, in the alternative, conduct a hearing pursuant to Franks v. Delaware, 438 U.S. 154 (1978), to consider evidence that the search of Robinson's home violated the Fourth Amendment.

Respectfully submitted,

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